



COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Acting Director of Public Health and Health Officer

DEPARTMENT OF PUBLIC HEALTH
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BOARD OF SUPERVISORS

Gloria Molina
First District

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Second District

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Third District

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Fourth District

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Fifth District

August 15, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

APPROVAL OF TWO ASSIGNMENT AND DELEGATION AMENDMENTS
(All Districts) (3 Votes)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Delegate to the Acting Director of Public Health, or his designee, approval to sign an Assignment and Delegation Agreement (Amendment No. 1), substantially similar to Exhibit I, to transfer the Human Immunodeficiency Virus ("HIV")/Acquired Immune Deficiency Syndrome ("AIDS") Capacity Building Service Providers Agreement (County Contract No. H700796) duties of Being Alive Foundation Long Beach Housing to Serra Ancillary Care Corporation dba The Serra Project effective on the date The Serra Project receives final approval of all licenses, permits, and other approvals necessary for proper administration of the subject agreement as determined by the Department of Public Health's Office of AIDS Programs and Policy (OAPP), through June 30, 2007, at an estimated net County cost of \$20,000.
2. Delegate to the Acting Director of Public Health, or his designee, approval to sign an Assignment and Delegation Agreement (Amendment No. 1) substantially similar to Exhibit II, to transfer the HIV/AIDS Residential Care Facilities for the Chronically Ill Services Agreement (County Contract No. H700972) duties of Being Alive Foundation Long Beach Housing to Serra Ancillary Care Corporation dba The Serra Project effective on the date The Serra Project receives final approval of all licenses, permits, and other approvals necessary for proper administration of the subject agreement as determined by the Department of Public Health's Office of AIDS Programs and Policy (OAPP), through February 29, 2008, at an estimated net County cost of \$833,040.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In approving the recommended action, the Board is authorizing the assignment of rights and delegation of duties of two Being Alive Foundation Long Beach Housing (Being Alive FLBH) agreements to the Serra Ancillary Care Corporation dba The Serra Project (The Serra Project).

Approval of the delegation of duties and assignment of rights of the agreements will provide for continuity of HIV/AIDS Capacity Building Services through June 30, 2007 and Residential Care Facilities For the Chronically Ill Services through February 29, 2008. This would minimize any potential disruption to the patients residing at this facility.

This delegation of duties and assignment of rights is necessary to assure that these services remain available in SPA 8.

FISCAL IMPACT/FINANCING

The maximum obligation of The Serra Project HIV/AIDS Capacity Building Service Providers Agreement for the period effective on the date The Serra Project receives final approval of all licenses, permits, and other approvals necessary for proper administration of the subject agreement as determined by the Department of Public Health's OAPP, through June 30, 2007, is an estimated net County cost of \$20,000.

The maximum obligation of The Serra Project HIV/AIDS Residential Care Facilities for the Chronically Ill Services Agreement for the period effective on the date The Serra Project receives final approval of all licenses, permits, and other approvals necessary for proper administration of the subject agreement as determined by the Department of Public Health's OAPP, through February 29, 2008, at an estimated net County cost of \$833,040.

Execution of the two assignment and delegation agreements will not result in any additional net County cost.

Funds are included in the Fiscal Year 2006-07 Adopted Budget and will be requested in future fiscal years.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Since November 30, 2004 and February 15, 2005, the County has contracted with Being Alive FLBH to provide HIV/AIDS Capacity Building and Residential Care Facilities for the Chronically Ill Services, respectively.

On June 21, 2006, the Department of Public Health (DPH) received notification of Being Alive FLBH's intent to assign County Contract Nos. H-700796 and H-700972 to The Serra Project for the continued provision of HIV/AIDS Capacity Building and Residential Care Facilities for the Chronically Ill Services. On July 31, 2006, Department of Public Health (DPH) also received notification from The Serra Project indicating willingness to assume responsibility for

these services and to incorporate the programs into their current operation effective on the date The Serra Project receives final approval of all licenses, permits, and other approval necessary for proper administration of the subject agreement as determined by the Department of Public Health's OAPP, through June 30, 2007 and February 29, 2008. Since the pending date of approval OAPP staff have closely monitored the level of care being provided to ensure the obligations to the patients under these contracts are being met.

Provisions of the existing agreements require County's written consent to an assignment and delegation. OAPP has ensured the Board requirements for such assignment and delegations are satisfied.

The Serra Project currently provides other HIV/AIDS services under contract with the County.

No other provisions of the agreements are changed by the assignment.

County Counsel has also approved the Amendments (Exhibit I and II) as to form.

CONTRACTING PROCESS:

Prior to June 30, 2007 and February 29, 2008, DPH will request renewal of the assigned agreements.


IMPACT ON CURRENT SERVICES (OR PROJECTS)

This Assignment and Delegation will allow HIV/AIDS Capacity Building and Residential Care Facilities for the Chronically Ill Services to continue uninterrupted at the same level of funding as they currently exist and will ensure continuity of care for the residents.

When approved, the Department requires three signed copies of the Board's action.

Respectfully submitted,



 Jonathan E. Fielding, M.D., M.P.H.
Acting Director and Health Officer

BC:

Attachments

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

SUMMARY OF ASSIGNMENT OF AGREEMENTTransfer From:

Being Alive Foundation Long Beach Housing
 500 East 4th Street
 Long Beach, California 90802
 Attention: Whitney J. Enegeran, III, Chief
 Executive Officer
 Telephone: (562) 436-9722 x15
 Fax: (562) 436-8664

To:

Serra Ancillary Care Corporation
 1030 South Arroyo Parkway, 2nd floor
 Pasadena, California 91105
 Attention: Linda Susan McGinnis
 ESQ, President
 Telephone: (626) 403-4222
 Fax: (626) 413-0616

Transferred Agreement:Agreement No.ServiceEffective Date

H-700796

Capacity Building Services

Date that SERRA
 ANCILLARY CARE
 CORPORATION receives
 license from the State, but no
 sooner from the date of Board
 Approval

H-700972

RCF-CI Services

Date that SERRA
 ANCILLARY CARE
 CORPORATION receives
 license from the State, but no
 sooner from the date of Board
 Approval

EXHIBIT I

Contract No. H-700796-1

ASSIGNMENT AND DELEGATION AGREEMENT

AMENDMENT NO. 1

THIS ASSIGNMENT AND DELEGATION AGREEMENT is made and entered into this _____ day of _____, 2006,

by and between COUNTY OF LOS ANGELES (hereafter
 "County"),

and BEING ALIVE FOUNDATION LONG BEACH
 HOUSING (hereafter "Being Alive
 FLBH"),

and SERRA ANCILLARY CARE CORPORATION
 DBA THE SERRA PROJECT (hereafter
 "Serra Project").

WHEREAS, Being Alive FLBH, provides services to County's Department of Public Health, Office of AIDS Programs and Policy ("OAPP"), pursuant to a Human Immunodeficiency Virus ("HIV")/ Acquired Immune Deficiency Syndrome ("AIDS") Capacity Building for Services Providers Agreement, which was adopted by County's Board of Supervisors on November 30, 2004, further identified as County Contract No. H-700796 (hereafter referred to as "Contract"); and

WHEREAS, on June 21, 2006, Being Alive FLBH notified County that they were assigning and delegating their rights, duties,

obligations, responsibilities and interests, under said Contract to Serra Project; and

WHEREAS, it is the desire of Being Alive FLBH to assign and delegate all of its rights, duties, obligations, responsibilities and interests, under said Contract to Serra Project; and Serra Project desires to assume such rights, duties, obligations, responsibilities and interests, under said Contract; and

WHEREAS, Being Alive FLBH and Serra Project have requested County to consent to the assignment and delegation of all such rights, duties, obligations, responsibilities and interests, under said Contract; and

WHEREAS, under the terms of Contract, such assignment and delegation of Contract, must be in writing and must be approved by County.

NOW, THEREFORE, the parties hereto agree as follows:

1. Effective upon receipt and acknowledgment by County of written notice from Serra Project that it has acquired all licenses, permits and other approvals necessary for the proper administration of said Contract, Serra Project agrees to assume and receive from Being Alive FLBH, all rights, duties, obligations, responsibilities and interests to provide HIV/AIDS Capacity Building for Service Providers.

Written notice shall be sent to: 1) OAPP, 600 South Commonwealth Avenue, 6th floor, Los Angeles, California, 90005,

Attention: Director; and 2) Contracts and Grants, 313 North Figueroa Street, 6th Floor-East, Los Angeles, California 90012, Attention: Division Chief.

2. Serra Project agrees to abide by all terms and conditions of said Contract for HIV/AIDS Capacity Building for Service Providers, between Being Alive FLBH and County.

3. Any amounts due under said Contract from County for Contractor services which have not yet been paid, shall be paid to Serra Project.

4. County consents to such assignment and delegation of the rights, duties, obligations, responsibilities and interests, of Being Alive FLBH as described in said Contract to Serra Project pursuant to this Assignment and Delegation Agreement.

5. This Assignment and Delegation Agreement shall constitute the complete understanding between County, Being Alive FLBH and Serra Project, as it relates to the subject matter of this Assignment and Delegation Agreement.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Assignment and Delegation Agreement to be subscribed by its Director of Public Health and Being Alive FLBH and Serra Project each have caused this Assignment

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and Delegation Agreement to be subscribed in its behalf by its duly authorized officers, the day, month, and year first above written.

COUNTY OF LOS ANGELES

By _____
Jonathan E. Fielding, M.D., M.P.H.
Acting Director and Health Officer

BEING ALIVE FOUNDATION LONG BEACH
HOUSING
Contractor-Assignor

By _____
Signature

Printed Name

Title _____
(AFFIX CORPORATE SEAL)

APPROVED AS TO FORM
BY THE OFFICE OF THE
COUNTY COUNSEL
RAYMOND G. FORTNER, JR.,
County Counsel

SERRA ANCILLARY CARE CORPORATION
DBA THE SERRA PROJECT
Contractor-Assignee

By _____
Signature

Printed Name

APPROVED AS TO CONTRACT
ADMINISTRATION:

Department of Public Health

Title _____
(AFFIX CORPORATE SEAL)

By _____
Gary T. Izumi, Chief
Contracts and Grants

Assigndel.gi
10/04

EXHIBIT II

Contract No. H-700972-1

ASSIGNMENT AND DELEGATION AGREEMENT

AMENDMENT NO. 1

THIS ASSIGNMENT AND DELEGATION AGREEMENT is made and entered into this _____ day of _____, 2006,

by and between COUNTY OF LOS ANGELES (hereafter
 "County"),

and BEING ALIVE FOUNDATION LONG BEACH
 HOUSING (hereafter "Being Alive
 FLBH"),

and SERRA ANCILLARY CARE CORPORATION
 DBA THE SERRA PROJECT (hereafter
 "Serra Project").

WHEREAS, Being Alive FLBH, provides services to County's Department of Public Health, Office of AIDS Programs and Policy ("OAPP"), pursuant to a Human Immunodeficiency Virus ("HIV")/ Acquired Immune Deficiency Syndrome ("AIDS") Residential Care Facilities for the Chronically Ill Services Agreement, which was adopted by County's Board of Supervisors on February 15, 2005, further identified as County Contract No. H-700972 (hereafter referred to as "Contract"); and

WHEREAS, on June 21, 2006, Being Alive FLBH notified County that they were assigning and delegating their rights, duties,

obligations, responsibilities and interests, under said Contract to Serra Project; and

WHEREAS, it is the desire of Being Alive FLBH to assign and delegate all of its rights, duties, obligations, responsibilities and interests, under said Contract to Serra Project; and Serra Project desires to assume such rights, duties, obligations, responsibilities and interests, under said Contract; and

WHEREAS, Being Alive FLBH and Serra Project have requested County to consent to the assignment and delegation of all such rights, duties, obligations, responsibilities and interests, under said Contract; and

WHEREAS, under the terms of Contract, such assignment and delegation of Contract, must be in writing and must be approved by County.

NOW, THEREFORE, the parties hereto agree as follows:

1. Effective upon receipt and acknowledgment by County of written notice from Serra Project that it has acquired all licenses, permits and other approvals necessary for the proper administration of said Contract, Serra Project agrees to assume and receive from Being Alive FLBH, all rights, duties, obligations, responsibilities and interests to provide HIV/AIDS Residential Care Facilities for the Chronically Ill Services.

Written notice shall be sent to: 1) OAPP, 600 South Commonwealth Avenue, 6th floor, Los Angeles, California, 90005,

Attention: Director; and 2) Contracts and Grants, 313 North Figueroa Street, 6th Floor-East, Los Angeles, California 90012, Attention: Division Chief.

2. Serra Project agrees to abide by all terms and conditions of said Contract for HIV/AIDS Residential Care Facilities for the Chronically Ill Services, between Being Alive FLBH and County.

3. Any amounts due under said Contract from County for Contractor services which have not yet been paid, shall be paid to Serra Project.

4. County consents to such assignment and delegation of the rights, duties, obligations, responsibilities and interests, of Being Alive FLBH as described in said Contract to Serra Project pursuant to this Assignment and Delegation Agreement.

5. This Assignment and Delegation Agreement shall constitute the complete understanding between County, Being Alive FLBH and Serra Project, as it relates to the subject matter of this Assignment and Delegation Agreement.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Assignment and Delegation Agreement to be subscribed by its Director of Public Health and Being Alive FLBH and Serra Project each have caused this

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Assignment and Delegation Agreement to be subscribed in its
behalf by its duly authorized officers, the day, month, and year
first above written.

COUNTY OF LOS ANGELES

By _____
Jonathan E. Fielding, M.D., M.P.H.
Acting Director and Health Officer

BEING ALIVE FOUNDATION LONG BEACH
HOUSING

Contractor-Assignor

By _____
Signature

Printed Name

Title _____
(AFFIX CORPORATE SEAL)

APPROVED AS TO FORM
BY THE OFFICE OF THE
COUNTY COUNSEL
RAYMOND G. FORTNER, JR.,
County Counsel

SERRA ANCILLARY CARE CORPORATION
DBA THE SERRA PROJECT

Contractor-Assignee

By _____
Signature

Printed Name

APPROVED AS TO CONTRACT
ADMINISTRATION:

Department of Public Health

Title _____
(AFFIX CORPORATE SEAL)

By _____
Gary T. Izumi, Chief
Contracts and Grants

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10/04